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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 JOHN TURNER,
10 Plaintiff,

11 v.

12 LAW LIBRARY et al.,
13 Defendants.
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Case No. 2:14-cv-163-JAD-GWF

ORDER

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17 **I. DISCUSSION**

18 On April 21, 2014, this Court entered a screening order which granted Plaintiff's
19 application to proceed *in forma pauperis* but dismissed Plaintiff's complaint in its entirety with
20 prejudice (as amendment would be futile) for failure to state a claim. (Doc. No. 11 at 5-6). The
21 Court also found that the dismissal would count as a strike under 28 U.S.C. § 1915(g). (*Id.*).
22 After this Court denied Plaintiff's motion for reconsideration, Plaintiff filed a notice of appeal.
23 (Doc. No. 15, 16).

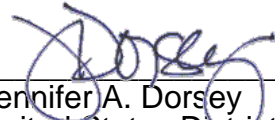
24 On May 21, 2014, the U.S. Court of Appeals for the Ninth Circuit issued a referral notice
25 to this Court for the limited purpose of determining whether *in forma pauperis* status should
26 continue for the appeal or whether the appeal was frivolous or taken in bad faith. The Court
27 finds that the appeal is frivolous or taken in bad faith.

1 **II. CONCLUSION**

2 For the foregoing reasons,

3 **IT IS ORDERED** that this Court certifies that any *in forma pauperis* appeal from this
4 Court's April 21, 2014, screening order and May 12, 2014, order denying the motion for
5 reconsideration would **not** be taken "in good faith" pursuant to 28 U.S.C. § 1915(a)(3).

6 Dated: May 21, 2014.

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10 Jennifer A. Dorsey
11 United States District Court Judge
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